



#73  
CC  
10/8/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Ferdinand Engel

**Serial No.:** 09/401,874

**Filed:** September 23, 1999

**Entitled:** IDENTIFYING A FAILED DEVICE IN A NETWORK

**Attorney Docket No.:** 113794.124US1

**Examiner:** D. Le

**Group Art Unit:** 2184

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR § 1.8**

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Date:

September 25, 2002

Tina M. Dougal

*Tina M. Dougal*

Commissioner for Patents  
Washington, D.C. 20231

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**REVOCATION OF PREVIOUS POWER OF ATTORNEY,  
APPOINTMENT OF NEW ATTORNEY,  
CHANGE OF CORRESPONDENCE ADDRESS, and  
STATEMENT UNDER 37 C.F.R. §3.73(b)**

Technology Center 2100

The undersigned, Concord Communications, Inc., a Massachusetts corporation, owner of the above-identified United States patent application, hereby revokes all powers of attorney previously granted and appoints the following practitioners with full power of substitution and revocation to prosecute the patent application and to transact all business in the Patent and Trademark Office connected therewith.

**CUSTOMER NUMBER: 23483**

All future correspondence should be sent to:

Eric L. Prah  
Hale and Dorr LLP  
60 State Street  
Boston, MA 02109  
Telephone No.: (617) 526-6000  
Facsimile No.: (617) 526-5000

Pursuant to 37 C.F.R. §3.73(b), Applicant states that it is the assignee of the entire right, title, and interest by virtue of an assignment from the inventors of the application identified above and recorded in the United States Patent and Trademark Office.

The assignment was recorded in the United States Patent and Trademark Office on September 23, 1999 at Reel 010273, Frame 0755. A copy of the assignment document is attached.

The undersigned, whose title appears below, is authorized to act on behalf of the assignee.

CONCORD COMMUNICATIONS, INC.

By:

  
\_\_\_\_\_  
Douglas A. Batt  
Vice President and General Counsel

Date:

9/24/02



DECEMBER 17, 1999

FISH & RICHARDSON P.C.  
ERIC L. PRAHL  
225 FRANKLIN STREET  
BOSTON, MA 02110-2804



00124/024001  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/23/1999

REEL/FRAME: 010273/0755  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
ENGEL, FERDINAND

DOC DATE: 09/17/1999

ASSIGNEE:  
CONCORD COMMUNICATIONS, INC.  
600 NICKERSON ROAD  
MARLBORO, MASSACHUSETTS 01752

SERIAL NUMBER: 09401874  
PATENT NUMBER:

FILING DATE: 09/23/1999  
ISSUE DATE:

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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CENTRAL FILES

* No Docketing Required *
Reviewed By Practice Systems
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Reviewed By Billing Secretary

10-01-1999

Attorney Docket No.: 00124

SHE



101159393

Assistant Commissioner for Patent

document.

med 9-23-99  
1. Name of conveying party(ies):  
Ferdinand Engel

2. Name and address of receiving party(ies):  
Concord Communications, Inc.  
600 Nickerson Road  
Marlboro, MA 01752

Additional name(s) attached? ☐ Yes ☒ No

3. Nature of conveyance:  
☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other:



Additional names/addresses attached? ☐ Yes ☒ No

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Execution Date: September 17, 1999

4. Application number(s) or patent number(s):

If this document is being filed with a new application, the execution date of the application is: September 17, 1999

A. Patent Application No.(s):

B. Patent No.(s):

09/401874

Additional numbers attached? ☐ Yes ☒ No

5. Name/address of party to whom correspondence concerning document should be mailed:

Eric L. Prah  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

6. Total number of applications/patents involved: 1

7. Total fee (37 CFR 3.41): \$40

☒ Enclosed

☐ Authorized to charge deposit account

8. Deposit account number: 06-1050

If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.

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9. Statement and signature: To the best of my knowledge and belief, the foregoing information is true and correct and the attached is the original document.

Eric L. Prah

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 2

10/01/1999 MTHAI1 00000198 09401874

01 FC:581

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Date of Deposit

Sept. 23, 1999

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20531.

ASSIGNMENT

For valuable consideration, I, Fred Engel, of Northboro, MA hereby assign to Concord Communications, Inc., a Massachusetts corporation having a place of business at 600 Nickerson Road, Marlboro, MA 01752, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world, including, without limitation, the right to sue for past infringement, in the inventions and improvements which are subject of an application for United States Patent signed by me, entitled IDENTIFYING A FAILED DEVICE IN A NETWORK (Atty Docket No. 00124/024001), filed concurrently herewith; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion, and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation, to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at 600 Nickerson Road, Marlboro, MA 01752 this 17th day of September, 1999

Fred Engel

L.S.

STATE OF Massachusetts:

:ss.

COUNTY OF Middlesex:

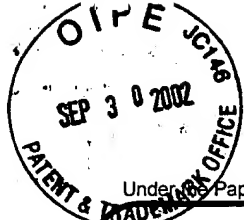
Before me this 17th day of September, 1999, personally appeared

Ferdinand Engel known to me to be the person whose name is subscribed to the foregoing Assignment, and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

Donald L. Vassallo  
Notary Public

My Commission Expires: January 25, 2002

[Notary's Seal Here]

Gp/2184  
PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number

09/401,874

Filing Date

09/23/1999

First Named Inventor

Ferdinand Engel

Group Art Unit

2184

Examiner Name

D. Le

Total Number of Pages in This Submission

Attorney Docket Number

113794.124US1

**ENCLOSURES (check all that apply)**

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment / Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☐ Response to Missing Parts/ Incomplete Application  
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)  
☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a Provisional Application  
☒ Power of Attorney, Revocation Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group  
☐ Appeal Communication to Board of Appeals and Interferences  
☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
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Individual name

Eric L. Prah, Registration 32,590

Signature

Date

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Signature

Date

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